

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Jared Zerbe, et al.

Title: METHOD AND APPARATUS FOR EVALUATING AND
OPTIMIZING A SIGNALING SYSTEM

App. No.: 09/976,170

Filed: 10/12/2001

Examiner: Unknown

Group Art Unit: 2858

Atty. Dkt. No. 1726.7220801

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FEB 24 2003

OFFICE OF PETITIONS

Box DAC
Commissioner for Patents
Washington, D.C. 20231**PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM UNDER
35 U.S.C. § 120 FOR THE BENEFIT OF A PRIOR-FILED APPLICATION**

Dear Sir:

Pursuant to 37 C.F.R. § 1.78(a)(3), Applicant respectfully petitions the Commissioner to accept an unintentionally delayed claim under 35 U.S.C. § 120 for the benefit of a prior-filed application. Applicant encloses a check in the amount of the surcharge set forth in 37 C.F.R. § 1.17(t) and authorizes any fee deficiencies be charged to or any overpayments be credited to Deposit Account No. 50-1566. The entire delay between the date the claim was due under paragraph (a)(2)(ii) of this section and the date the claim was filed was unintentional. So that the reference required by 35 U.S.C. § 120 and 37 C.F.R. § 1.78(a)(2) to the prior-filed application is to be found in the present application, Applicant amends the present application as follows in accordance with the USPTO Notice entitled "Amendments in a Revised Format Now Permitted," dated 1/31/2003:

AMENDMENTS TO THE SPECIFICATION

Before the heading "TECHNICAL FIELD OF THE INVENTION," please insert the following:

RELATED APPLICATIONS

The present application is a continuation-in-part of United States Patent Application 09/776,550, filed on February 2, 2001 and assigned to the Assignee of the present application.

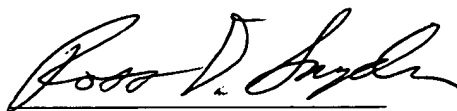
REMARKS

Applicant respectfully requests that the present petition be granted and the foregoing amendment be entered.

Respectfully submitted,

02/15/2003

Date



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